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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,538	06/22/1999	FRANK ALAN PAVELSKI	52817.000097	9120

909 7590 08/19/2005

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EXAMINER
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TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/337,538

Applicant(s)

PAVELSKI ET AL.

Examiner

Mylinh Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 07/13/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-15,17-22,24-29 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-15,17-22,24-29 and 31-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/13/05 10:22:05 092602
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's Request for reconsideration filed 07/13/05 has been entered and carefully considered. Limitations of the claims have not been found to be patentable over newly discovered prior art, therefore, claims 1, 3-8, 10-15, 17-22, 24-29 and 31-33 are rejected under the new ground of rejection.

#### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-8, 10-15, 17-22, 24-29 and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Yang et al. [US. 6,301,586].

As to claims 1, 8, 15, 22 and 29, Yang et al. disclose a computer implemented method and corresponding apparatus for enabling a user to create a frameset arrangement for a view comprising the steps/means for a frameset arrangement presentation object that simultaneously displays a plurality of predefined frameset arrangements to the user through a graphical user interface, wherein the plurality of predefined frameset arrangements are displayed as objects to the user (figure 13, "Picture Layout" section, three frameset arrangements are Horizontal, Vertical and Diagonal which simultaneously display to the user);

frame number specification object that enables the user to specify a number of frames in the plurality of predefined frameset arrangements that are simultaneously displayed (figure 13, "Number of Pictures per Page" section); a frameset selection object that enables the user to select one of the plurality of predefined frameset arrangements through the graphical user interface (figure 13, user is able to select one of the frameset from "Horizontal, Vertical or Diagonal"); and a view presentation object that presents the view to the user having the predefined frameset arrangement selected (figure 13, the selected frameset arrangement is displayed on the left side).

As to claims 3, 10, 17 and 24, Yang et al. show the frameset arrangement presentation object presenting the plurality of predefined frameset arrangements, each having the number of frames specified by the user (figure 13, plurality of frameset arrangements "Horizontal, Vertical or Diagonal", each of them has two frames in the frameset).

As to claim 4, 5, 11, 12, 18, 19, 25-26, Yang et al. show the frameset arrangement presentation object simultaneously displaying a plurality of icons, each icon representing one of the plurality of predefined frameset arrangements (figure 13, Picture Layout section, "Horizontal", "Vertical" and "Diagonal" are icons. Once user selects Diagonal, the frameset is displayed on the left side).

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As to claims 6, 13, 20 and 27, Yang et al. teach the frameset arrangement comprising specification of a size of each frame (each frame in "Horizontal" has its own size).

As to claims 7, 14, 21 and 28, Yang et al. disclose the frameset arrangement comprising specification of the location of each frame within the view (figure 13, Picture Layout, each frame in "Horizontal" or "Vertical" has its own location).

As to claim 31, Yang et al. also disclose enabling the user to modify the selected predefined frameset (figure 13, "Horizontal" frameset can be able to modify by user selecting a different number of pictures per page).

As to claim 32, Yang et al. suggest one frame of each frameset including a non-web document (column 8, lines 20-25).

As to claim 33, Yang et al. show each frameset including at least one frame for inputting a web document (column 6, lines 25-35); and at least one frame for inputting a non-web document (column 8, lines 20-25).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 8, 15, 22 and 29 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

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BA HUYNH  
PRIMARY EXAMINER